

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

IN RE APPLICATION OF: *BERNER ET AL.*

APPLICATION NO.: 10/769,574

FILED: JANUARY 29, 2004

FOR: GASTRIC RETENTIVE ORAL DOSAGE FORM WITH  
RESTRICTED DRUG RELEASE IN THE LOWER  
GASTROINTESTINAL TRACT

EXAMINER: HOLT, ANDRIAE M.

ART UNIT: 1616

CONF. NO: 8962

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**REQUEST TO ADD INVENTOR TO A NONPROVISIONAL APPLICATION  
PURSUANT TO 37 CFR §1.48 (c)**

Dear Sirs:

The above captioned nonprovisional application was filed naming the following individuals, Bret Berner and Jenny Louie-Helm. Due to claim amendments it was determined that an additional inventor should be named in the application. The additional inventor is John W. Shell. The addition is necessitated by amendment of the claims and the inventorship error occurred without deceptive intent of the additional inventor.

In light of the forgoing, it is requested that the application be amended to add the name of the additional inventor. This petition is signed by a party set forth in 37 CFR §1.33 (b) and is accompanied by a statement from John W. Shell, a declaration by the actual inventors as required by §1.63, the written consent of the assignee, and the processing fee set forth in 37 CFR §1.17 (i) which is being assessed against the deposit account below.

The Commissioner is hereby authorized to charge the amount of \$130.00 to Deposit Account No. 50-4616. If the Commissioner determines that additional

fees are due or that an excess fee has been paid, the Patent Office is authorized to debit or credit the said Deposit Account, respectively.

If there are any questions regarding the above, the Examiner is invited to call the undersigned agent at 650-590-1919.

Respectfully submitted,

Date: June 18, 2009

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